

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JOHN L. HAYWARD,

Plaintiff,

18 **CIVIL** 10402 (SN)

-against-

JUDGMENT

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons set forth in the Court's Opinion & Order dated March 16, 2021, the Court finds that the Commissioner's factual determinations were supported by substantial evidence, and the conclusion that Hayward failed to show good cause for his absence at his hearing was not an abuse of discretion. Furthermore, Hayward has failed to demonstrate that his additional reasons for his absence were based upon new facts not available at the time of his letter to the Appeals Council, and he did not show good cause for raising them for the first time before the Court. The Commissioner's motion is GRANTED and the case is DISMISSED.

Dated: New York, New York
March 17, 2021

RUBY J. KRAJICK

BY:

Clerk of Court

K. mango

Deputy Clerk